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ATTORNEYS AT LAW

**MEMO ENDORSED**

Sara Siegall

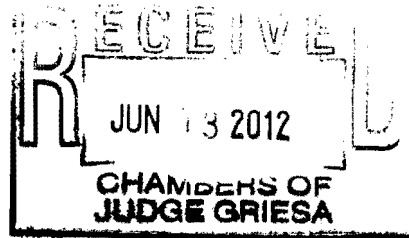
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June 12, 2012

VIA FEDERAL EXPRESS, OVERNIGHT DELIVERY

Honorable Thomas P. Griesa  
United States District Court  
Southern District of New York  
United States Courthouse  
500 Pearl Street  
New York, NY 10007-1312



Re: *In re: Tremont Litigation*, Master Docket No. 08-civ-11117 (TPG)  
Civil Action No. 1:10-9252 (TPG)

Dear Judge Griesa,

My firm represents Cummins, Inc. ("Cummins") in the above captioned matter. Cummins' Replies in Support of its Motion for Leave to File a Second Amended Complaint (**Docket No. 748**) are due to be filed this Friday, June 15, 2012. In the interests of efficiency, Cummins would like to file a consolidated twenty-two page Reply in response to the arguments raised in the following opposition papers:

- **Docket No. 766:** The Tremont Defendants' Memorandum of Law in Opposition to Plaintiffs' Motion for Leave to File a Second Amended Complaint
- **Docket No. 768:** MassMutual's Opposition to Plaintiff Cummins Inc.'s Motion for Leave to File Second Amended Complaint
- **Docket No. 769:** Oppenheimer Acquisition Corp.'s Joinder in the Tremont Defendant's and MassMutual's Oppositions to Plaintiff's Motion for Leave to File Second Amended Complaint

Cummins' counsel has consulted with counsel for the Tremont Defendants, MassMutual Holding, LLC, Massachusetts Mutual Life Insurance Company, and Oppenheimer Acquisition Corp., and has been informed that these parties have no objection to the above request.

Cummins will file a separate Reply in response to the opposition brief of New York Life Insurance Company and New York Life Insurance and Annuity Corporation (**Docket No. 765**).

If you have any questions or concerns, please feel free to have your staff contact me.

Very truly yours,

Sara Siegall

cc: Counsel for the above listed parties, via PDF/E-mail

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*Approved. Thomas P. Siegall by MM  
6/15/12*